

Committee Attacks State Board's Proposed Increases

LAWYER 'PEEVES' COURT IN BRIEF FOR NEW JURIST

Nemeth's Action in Seeking Venue Change Arouses Ire of Judge DuComb.

The latest attempt to forestall a revocation of bail sentence against liquor law violator was witnessed in city court Friday when a local attorney surreptitiously presented a written motion for a change of venue, failed to explain its purpose but instead, hurried away, stating to the court that he would be "out of the city" until Monday.

Several different actions have been begun to keep "second time" violators from serving in the county jail, but the latest attempt led Judge DuComb in a fervor of indignation in fact, putting it in the judge's own words, "Stalls" for Time.

The request for venue change in the face of a possible revocation of sentence is not new. In each instance, it had been refused. It was for Attorney D. D. Nemeth, however, "stalling" for time in the case of Paul Retek, 1866 Longley ave., to "put it over" in such a way that the court "must wait" until the lawyer's return, it was intimated.

Retek and his wife, who had been arrested recently, charged with unlawful possession of liquor for purposes of sale, Retek had previously been convicted of similar charges. Since Feb. 2, last, he had been under probation with a 90-day jail sentence hanging over him. Both times, it was said, the wife wanted to plead guilty and take the responsibility from her husband, but the court has shown a determination to make them both stand trial.

Speedy in and Out.

Friday was the date set for hearing and Attorney Nemeth rushed into the court room, laid two folded instruments upon the desk and hurriedly departed. His only word of explanation was that he "would be back next week."

After Retek had departed the storm let loose. Frowning over the purport of the missives, His Honor suspended sessions for a second time.

"Set the Retek cases over until Monday," ordered Judge DuComb of Harry S. Taylor, relieving George D. Donahue as deputy prosecutor. "That is, if we can't get hold of Mr. Nemeth right away."

"Then the judge explained himself. "If this attorney wants to keep his client out of jail, he had better withdraw the motion for a change of venue. In the case of a second time violator, no change of venue will be granted to effect the revocation of a suspended sentence."

To Name Judge.

"That," continued the court, with his countenance set in a deep frown, "is a part of the first case already tried. This very action shows either an attempted delay, or a frank avowal of guilt."

In the case of Anna Retek, the court nominated Attorney Al Hosiowski, William R. Bertsch, Louis Hammer, Schmidt, Arthur May and Clifford W. DuComb. Monday was set for the day of striking.

But no such procedure followed in the case of Paul Retek, except for continuing the case until Monday. According to Judge DuComb, no request for a change of venue will be granted unless the defendant first chooses to go to jail on a revocation of sentence.

"Then," added the judge, his good humor restored, "he can have all the special judges he wants."

Firemen Check Dangerous Blaze at Woolen Mills

Grass fires seem to be the greatest obstacle to the peace of the local fire fighters now. Three small grass fires were extinguished yesterday by the local department without any damage resulting. Hose company 7 had no trouble with the grass fire in the morning and the Central station answered two calls, one at the Oliver playing field and other on Lincoln way W., in the afternoon.

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Paris Editor Cables Greetings to News-Times and South Bend

In a cablegram, received yesterday by The News-Times from Etienne De Naleche, director of the Journal Des Debates, Paris, and president of the St. Joseph's Press, the noted French journalist, pays a high tribute to the paper for its efforts in helping make the Good Will campaign, made under the direction of the American Committee for Devastated France, such a success in South Bend.

The cablegram was as follows: "Syndicate of Parisian Press sends warmest greetings to the editor of The News-Times and South Bend for cooperation in the Good Will campaign."

"France is grateful for the message from your Mayor Seebirt brought to the suffering people of the devastated regions by your city's representative on the Good Will delegation, Miss Helen Gregory."

"We appreciate the initiative taken in this magnificent work which cannot fail to strengthen the friendship and mutual understanding of the two countries."

"It demonstrates the great power of the press of America."

"The newspapers of France are cooperating to the best of their powers in order to make the Good Will tour the greatest possible success."

"We want to take this occasion for thanking America once more for the valuable aid bestowed to France during the most tragic moments of her history."

CHAUTAUQUA ENDS SOUTH BEND STAY WITH 'JOY NIGHT'

Jess Pugh and Vierra's Hawaiians Furnish Closing Program of Engagement.

"Joy Night," last evening, concluded the annual seven day stay of the Redpath Chautauqua at Leeper Park. Jess Pugh was the chief merrier-maker. Vierra's Hawaiians presented a program with a musical entertainment.

Mr. Pugh is a fun specialist who has appeared for many years on Chautauqua programs and has a large following. He presented hilarious comic sketches, songs and sketches with a sprinkling of dramatic interpretations. His enactment of an amateur orator, upon whom friends had played a practical joke, was the outstanding hit of his program.

A clever imitation of a talkative man in a movie show was Pugh's opening number. This was followed by a humorous song, "When I Was Twenty-one." Well-told jokes kept the audience laughing at intervals between his more pretentious offerings. "The Cobbler," a poem by Edward Markham, brought a touch of seriousness into the varied program of the humorist.

Vierra's Hawaiians opened the evening performance and appeared on the afternoon program as well. They were an unusually good company of natives from the island territory, playing the haunting, plaintive melodies characteristic of their native land.

Mr. Vierra organized his company seven years ago to play at the world fair in San Francisco and they were such a success there that they have been touring the country ever since, playing the haunting, plaintive melodies characteristic of their native land.

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'MASTER MIND' OF ROBBER GANG MUTE ON CACHE OF LOOT

Efforts to Learn Hiding Place of \$4,000 Worth of Booty Prove Futile.

Charles DeKan, 19-year-old youth, who was arrested Thursday night by local police in connection with 15 house-breaking "jobs" in this city within the past 10 days, still maintains his silent attitude when questioned concerning the disposal of approximately \$4,000 worth of loot which the other members of the gang claim to have given him.

Although faced by his brother Bello and Casimir Spliski, who alternately took turns in doing the actual robbing, Charles denied that the goods had been turned over to him. He is inclined to believe that Charles has hidden the jewelry and other articles in a secret cache with the intention of reclaiming the loot after he is released.

Reenact Robbing Scene.

Bello DeKan accompanied Capt. Hamilton to the home of Miss Van Aiken, 217 Laporte ave., yesterday afternoon and reenacted the maneuvers he went through when he entered the house on July 31, stealing diamond rings valued at \$1,000. Miss Van Aiken arranged the home in the same manner as it was the day of the robbery. Bello DeKan calmly entered the rear door of the house with a skeleton key furnished by Capt. Hamilton, opened the dresser door in the living room and allowed the room to open as he had done on the day of the robbery and proceeded to the bedroom of Miss Van Aiken.

Dresser drawers were removed and placed on the floor after removing the clothing about the place. DeKan then pointed to two small jewelry boxes on top of the dresser and turned to Hamilton saying, "That is where I got those three diamonds."

When asked by Miss Van Aiken to describe the robbery, DeKan described them to the minutest detail. Upon their return to the station and after Bello and Spliski again accused the older DeKan of having received the rings, Chief Lane was called to obtain a statement from DeKan. DeKan acted as sullen throughout and refused to answer the questions put to him other than by saying, "I don't know."

"Most Hardened Case."

Later in the day Probate Judge W. E. Miller questioned DeKan for two hours but was unable to obtain any information concerning the hiding place of the rings.

"Of all the youths with criminal records that I have dealt with DeKan is the one who knows the most about the robbery. He is a hardened case that does not possess even a good trait," the judge said after his patience had become exhausted.

"The majority of boys of his type, regardless of what crime they might commit, will admit it after they have been detected, but he will not even tell the truth," he said.

Bello DeKan and Casimir Spliski will be given a hearing in city court on Monday on a charge of house breaking and receiving stolen goods.

As a result of entering the home of Ephraim C. Gerar, 2021 Lincoln ave., W. Mishawaka Thursday noon, affidavits charging the four youths with the robbery of at least 12 South Bend homes are expected to be sworn out today by Capt. DeWitt.

Cutters-Studebakers to Meet at Singer Park Today

The question as to the champion ship of Leeper will be settled this afternoon when the Cutter and the Studebaker teams come together on the Singer field diamond for a double header. Interest in the outcome of the first series of games arranged by the municipal committee between teams representing industrial plants in the two cities is so keen that the committee has been given the free use of the Singer field for this occasion. Police will be present to keep the diamond free for the players. All other League A games have been postponed so that the fans of the other teams may be present as rooters for their favorite bunch of players.

Hall and DuBois will be the public which will be held at 2:30. The public is urged to support the port by attending. Admission will be free.

Two Games in League B On Afternoon's Schedule

Two games of League B will be played this afternoon at 2:30. The Standard Oil team has a go at Meyers' Hardware to settle two questions — the championship of League B and the honor of playing against the winner of the championship of League A. For both of these honors the municipal reservation committee under whose direction the schedule has been maintained, award trophies.

The M. R. C. specialists and Hardy's Printers are to play at Potawatomi Park at 2:30 and a snappy game is prophesied, as both teams have "blood in their eyes." Dooley will umpire the game at Leeper and Pike will be the "ump" at Potawatomi.

Form New Twilight League For Indoor Championship

Representatives of the West Side Lumber Co., the Gas Co., Plasterers and the club met in the reception committee's rooms Friday afternoon to draw up a new schedule of indoor ball games to be played on the Leeper field diamonds beginning next week. Each club is to register its players and the winner will be expected to challenge the Y. M. C. A. team as winners of the first series, for the championship of the city. The schedule for the new league will be published in Saturday's paper.

An obstinate man does not hold opinions, but he holds him.

What some orators want in depth the give you in length.

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Public Service Commission Denies Telephone Company Appeal for Toll Rate Boost

The request of the Indiana Bell Telephone company for an increase in long-distance rates was denied Friday by the Public Service commission, sitting at Indianapolis.

The hard fight by the company to have toll rates raised, principally affecting person to person calls, was lost Friday when the commission ruled that the rates were sufficiently high, as compared with rates in force in other states.

There was no necessity for an increase, the commission also held, ruling that the interstate rates of the Bell company and the rates authorized in neighboring states were on a par with those now prevailing in Indiana.

DEDICATE CHAPEL WITH HIGH MASS SUNDAY, IS PLAN

St. Matthew's Church, New South Side Institution, to Be Scene of Rites.

Dedication of the temporary St. Matthew's Catholic church at Miami and Dayton sts. will take place Sunday morning at 10 o'clock with the celebrating of a high mass, special blessing, and address by the Rev. Theodore J. Hammes, the pastor.

St. Matthew's church will temporarily fill the need of Catholics on the South Side and will be attended by people living south of the Lake Shore tracks and east of Lafayette.

The necessity of such a parish was evident in 1914 when there were 75 Catholic families in this section of the city. The great growth of the city, however, has increased this number to about 175 families.

Bought 14 Lots.

In July, 1921, Right Rev. Bishop Alving of St. Wayne, purchased the site which comprises 14 lots on Miami st., bounded by Dayton st. and DuBois ave., including separate dwellings for the Sisters and the Pastor. The following month a mass meeting was called at the Studebaker school and officers of the new parish were elected. Committees were appointed to raise the necessary funds and in May, 1922, the building committee began work on the church.

On May 30, the cornerstone of the new church was laid by Rev. John F. DeGroote, then pastor of St. Patrick's parish.

All work in connection with the erection of the building, which was necessary to temporary one because of insufficient funds, was done by the parishioners and progressed so rapidly that last June, Bishop Alving appointed the Rev. Theodore J. Hammes of Waukegan, Ind. to the pastorate.

Ground has been broken for a school, 72 feet by 48 feet, and it is planned to complete the building within the next few months. The temporary buildings will be later used for halls and meeting places for the parishioners and school is planned to replace those now under construction.

Foreclosure of Note and Receiver for Firm Asked

Suit for foreclosure on a note and for appointment of a receiver for the Harry A. Hopkins Machinery Co., 307 Laporte ave., has been filed in the circuit court by Harry A. Hopkins. The complaint charges that a note for \$1,173.43 due Feb. 8, 1922 is unpaid, and that there are debts outstanding against the company to the amount of approximately \$2,000. The hearing on the application for the appointment of a receiver will be held before Judge Pank in the circuit court on Aug. 14.

Concert Sunday Evening at Leeper Park, Not Potawatomi

The band concert will be held Sunday evening at Leeper park at 7:30 o'clock instead of 7 o'clock, which has been the usual hour. Plans were made at first to have the concert this week at Potawatomi park, but because of the celebration of the T. P. A. at that place Saturday afternoon and evening, Leeper park will be used again. It is expected that there will be a large attendance at the concert. Definite announcement will be made Saturday.

Plane Used in Effort to Keep Auto Plants Running

DETROIT, Aug. 11.—The fastest transportation was employed Friday to carry priority requests to Washington in an effort to prevent the closing of the world's largest automobile manufacturing plants here.

A high-powered automobile carried the requests from Lansing to Detroit. There an airplane waited to relay the requests to Washington, D. C.

The requests for the Ford company were made on the grounds that gas was supplied in a public utility, the Detroit gas plant, and therefore the motor plant should have priority in coal distribution.

GLAND OPERATION.

WINONA LAKE, Ind., Aug. 11.—(By I. N. S.)—Gland, a glandular operation is not a success, according to Dr. Hess, of Chicago, speaking here. He asserted that while the process may prove successful to a small degree, it does not last.

CYCLE TOUR IN EUROPE.

ELKHART, Aug. 11.—(Special.)—Fred G. Smith, who resigned his position as supervisor of music in the Elkhardt high school at the close of the school year last spring, to accept a more desirable offer in Milwaukee, returned here this week from a two-month tour of Europe and France. Mr. Smith, with his brother, Cyril Smith, of East Chicago, sailed from New York on June 13 for Havre, France.

They crossed through Normandy to Paris and Nevers, and then back to England, where they visited their mother and William Smith.

There's music in all things if man had ears.

Nature creates merit, and fortune brings it into play.

WHISKAWAY SOLD

SARATOGA SPRINGS, N. Y., Aug. 11.—Harry Payne Whitney today notified Trainer M. W. Barnes that he had accepted C. W. Clark's offer for the colt Whiskaway and that Barnes might take the 3-year-old, general favorite for the champion of this year, tomorrow. The price involved was not made public but it is generally accepted to have been \$125,000.

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Half of County Marriages Failures, Records Show Divorces Clog Two Courts

Forty-Six Per Cent of Superior Courts' Civil Cases Are Divorce Actions.

For every two marriages in St. Joseph county there is one divorce suit filed in the county courts.

Forty-six percent of civil cases brought before the two Superior courts of the county are divorce cases.

These are the startling facts brought out by an examination of divorce applications and marriage license application records in the county from the first of the year up to today.

Average 4 to 2.

Since January there have been 338 divorce actions filed in the county. In the same time there were 822 marriage licenses issued. These figures mean that since the first of the year there has been an average of four marriages a day and two applications for divorce a day.

Of the applications for divorce, 180 have been filed with Superior court No. 1, 139 in Superior court No. 2 and 19 in the Circuit court. The applications for divorce are equally divided forming 46 percent of all the civil cases coming before the courts' jurisdiction. In Superior court No. 1, the total number of civil cases filed this year totals 392, while in Superior court No. 2 the total number of civil cases is 406. The percentage of divorce cases coming before the Circuit court is much lower than in the other two courts, only 10 percent, or 19 out of 181 civil cases having been filed so far this year.

Of all the civil cases coming before the three courts of the county, 19 percent of the cases constitute 39.6 percent of the business.

There has been little question regarding the fact that a large number of divorces are filed in the county, and that the number is constantly growing larger, but that the 19 percent of divorce business in the county courts formed such a major part of the court's business is a revelation to everyone with the possible exceptions of the judges of the courts who hear the cases.

The statement that for every two marriages in the county there is one divorce application filed needs a word of explanation to make it accord with the figures. Of the applications for marriage licenses, it is a conservative estimate that 10 percent of the applicants are non-residents of the county, and that after being married here they do not become residents here. That will necessarily reduce the number of marriages of residents of St. Joseph county so far this year to less than 800, or just about twice as many marriages as divorce applications.

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CLAIM IGNORANCE OF REAL FACT IS BASIS OF ACTION

Committee Tells Board County Will Fight Assessment Boost To Limit.

The first round in the fight between St. Joseph county and the state, to prevent an increase in the land assessment in this county by \$4,500,000, ended yesterday when a committee of five South Bend men appeared before the state tax commission and after presenting their case, told that body that the people of this county were firmly behind the St. Joseph board of review and would fight the case to the limit, should an unfavorable decision be rendered.

There will be no definite announcement before Monday concerning the verdict of the state board. The state tax commission will end their session that day and it is expected that a decision on all county cases will then be rendered.

The South Bend committee, composed of E. H. Moore, republican county chairman; Clarence Sedgwick, county auditor; Fred W. Keller, former mayor; George Robertson, Frank J. Green, manager of the Chamber of Commerce, and L. W. Hammond, city attorney, together with William McNamery, who represented a group of heavy tax payers presented county's case in an hour's session with the state board.

Show Indignity.

According to members of the committee, the Indianapolis officials, in putting South Bend on the same tax-paying basis with Fort Wayne. The state board of assessors have placed full credence in the reports concerning South Bend's era of prosperity and are basing their increased valuation on these reports.

The local committee in presenting their case before the state officials, brought out the fact that though the population of South Bend had increased approximately 12,000 persons since the 1920 census, this did not necessarily mean that conditions here were such that any increase in the tax assessment was justifiable. They emphasized the fact that at the present time living conditions in this city were more than congested, that though the building and land expansion had just started, the additional tax assessment would prove a hindrance to further progress.

The St. Joseph county committee then asked that the state board defer any additional assessments until the next reappraisal was due. This they said would give opportune time for the present expansion drive more to boost and would be fair, and would be to the people of the county.

Members of the committee said that when the last reappraisal was made, property in the central business district of the city, notably on Michigan, Main and Madison, had been increased in assessments approximately 41 percent. This additional 10 percent increase which the local board is fighting, would put the increase to over the 50 percent increase that the board is regarded as a great injustice by St. Joseph county citizens.

After presenting their case the members of the local committee informed the board that the people of St. Joseph county were backing them to the limit and would fight the case to the last of the board should announce a decision unfavorable to the county.

State-Wide Opposition.

Although the state officials have given no inkling as to what their decision in the case would be, reports from the state capital, and newspaper accounts giving interviews with the state assessors, would indicate that that board is equally determined that the assessment increases will stand.

The committee from St. Joseph county was not however, the only group to appear before the assessors yesterday in an effort to stay the increase orders. Members of boards of review, with tax payers from Huntington, Fountain and Decatur counties, pleaded their cases before the state board of tax commissioners.

It developed yesterday that the recent valuation increase order is rapidly assuming state-wide proportions, when reports were received announcing the fact that more counties were coming in line to fight the increase. The Decatur county board of review has refused to consider the increase and has asked that the state tax commissioners reconsider their request. The Jennings county board has fully refused to accept the new increase and has announced that it will fight the state to the limit.

Fayette and Hamilton counties have approved the increases ordered in their districts, although such increases were relatively small.

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